

**MINUTES
of the
FIRST MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**June 6, 2013
State Capitol, Room 307
Santa Fe**

The first meeting of the Military and Veterans' Affairs Committee was called to order by Representative Rodolpho "Rudy" S. Martinez, co-chair, on June 6, 2013 at 9:30 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Sen. Richard C. Martinez, Co-Chair
Rep. Rodolpho "Rudy" S. Martinez, Co-Chair
Sen. William F. Burt
Rep. Dianne Miller Hamilton
Sen. Daniel A. Ivey-Soto
Sen. William H. Payne
Rep. Bob Wooley

Absent

Rep. Nathan "Nate" Cote

Advisory Members

Rep. Eliseo Lee Alcon
Sen. Craig W. Brandt
Sen. Carlos R. Cisneros
Rep. Yvette Herrell
Sen. John Pinto
Rep. Edward C. Sandoval

Rep. Thomas A. Anderson
Rep. George Dodge, Jr.
Sen. Timothy M. Keller
Sen. Cliff R. Pirtle
Rep. Dennis J. Roch
Rep. Jeff Steinborn
Sen. Lisa A. Torracco

Guest Legislators

Rep. Sandra D. Jeff
Sen. Nancy Rodriguez

Staff

Pam Stokes, Staff Attorney, Legislative Council Service (LCS)
Kathleen Dexter, Researcher, LCS
John Butrick, Law School Intern, LCS

Guest List

The guest list is in the meeting file.

Handouts

Copies of all handouts and other written testimony are in the meeting file.

Thursday, June 6

Interim Committee Procedures

Raúl E. Burciaga, director of the LCS, gave an overview of the statutes that govern the committee's operations, including the so-called "blocking provision", which states that no action shall be taken by the committee if a majority of the total membership from either chamber rejects the action. He pointed out that while a quorum for the committee is five voting members, there is no requirement that both political parties or both chambers be represented among the quorum. Once a quorum is established, it is presumed to continue for the duration of the meeting unless the lack of a quorum is raised by a member or disclosed upon a roll-call vote. Short of establishing a quorum, the committee can operate as a subcommittee and take testimony so long as the number of voting members present, plus advisory members and legislators attending the meeting as one of their extra days, equals five. All meetings after September 30 must be held at the State Capitol unless an out-of-town meeting after that date is approved by the New Mexico Legislative Council.

Military and Veterans' Affairs Committee Legislation from 2013 Session

Ms. Stokes gave an overview of legislation endorsed by the committee for the 2013 session that was signed into law, including:

(1) House Bill 180 (Chapter 33) — expedited professional licensure for military service members, their spouses and recent veterans;

(2) House Judiciary Committee Substitute for House Bill 175 (Chapter 193) and Senate Public Affairs Committee Substitute for Senate Bill 574 (Chapter 35) — suspension without penalty, as well as reconnection without charge, of county, municipal, utility and telecommunications services while a service member is deployed for longer than 30 days;

(3) House Bill 247 (Chapter 34) — military war veteran scholarship program and fund;

(4) Senate Bill 195 (Chapter 2) — designation of April as "Bataan-Corregidor Heritage Month";

(5) House Joint Memorial 3 — state approving agencies and their role in developing legislation that affects New Mexico veteran education benefits; and

(6) House Joint Memorial 4 — designation of March 29, 2013 as "Vietnam Veterans Day".

Two bills that were endorsed by the committee but that did not pass would have: (1) created an income tax credit for armed forces retainer pay; and (2) enacted the Service Member Child Custody Act.

In discussion, Ms. Stokes and committee members noted the need to reintroduce the Service Member Child Custody Act in the 2014 session, if the topic is included in the governor's proclamation. Ms. Stokes also explained that an appropriation in the General Appropriation Act

of 2013 to establish a Native American Veterans' Division in the Veterans' Services Department (VSD) is void because it was contingent on passage of a bill to establish the division in statute, and that bill failed.

VSD Overview

Secretary of Veterans' Services Timothy L. Hale gave an overview of U.S. Department of Veterans Affairs (VA) and VSD programs for New Mexico veterans. The state has a relatively high percentage of veterans at 12 percent. While nearly half of them live in the greater Albuquerque area, where the VA hospital is housed, the rest — nearly 80,000 veterans — are spread around the state in areas the VA has designated as "rural", "highly rural" or "frontier". Difficulty accessing VA services is the top complaint the VSD receives, in part because of the distances the non-urban veterans must travel. The VA's goal is to enroll all qualified veterans in the system within 45 days of release from active duty; however, in light of the challenges posed by New Mexico's predominately rural nature, the VSD has set a goal of 180 days and has established 17 field offices around the state to help veterans access services and benefits. In addition to helping veterans with health-related issues, the VSD helps veterans access programs that provide employment, business, housing, family support and treatment services.

Secretary Hale described the VSD's top three priorities as:

(1) PTSD and traumatic brain injury (TBI) — the VSD recommends more research, treatment options and long-term planning among government agencies and providers;

(2) a comprehensive state cemetery plan — the VSD has developed a map of sites that would provide burial locations within 75 miles of most veterans and their families; and

(3) homeless veterans — the VSD recommends that the committee receive a comprehensive update on the issue during the interim from state and local agencies.

On questioning, Secretary Hale and committee members addressed the following concerns and topics.

Unemployment benefits. Most veterans qualify for unemployment benefits after they are released from active duty. The Workforce Solutions Department has a regional director who specializes in veterans' unemployment issues.

Homelessness. Veterans must produce either a DD214 form or a social security number and service number to qualify for homeless veteran services. The VSD has not been able to ascertain how many homeless veterans are Native American, though the department does train Native American counselors in tribal communities to help veterans access benefits.

VA benefits and services. Approximately 50,000 service members will be released from active duty annually in the next several years and become eligible to enter the VA system; long-term planning is needed to address this influx. Planning is also needed to address the increased need for PTSD and TBI services and to ensure that services provided through county hospitals and clinics are coordinated with the VA. The VA is reluctant to have local hospitals provide veterans' services because local staff may not understand veterans' issues.

Cemeteries. The VSD is looking into whether capital outlay funds may be used as the 10 percent state match required for federal cemetery funding. Cemetery operations costs are the state's responsibility, and the federal government would like the states to take over the cemeteries entirely. The national cemetery in Santa Fe is projected to be full sometime between 2025 and 2035. Burial in the cemeteries is free for veterans and their spouses.

College credits and scholarships. Each higher education institution has its own policy on whether college credits will be granted for skills gained in the military. Some disabled veterans cannot meet the statutory requirement of six credit hours per semester for veteran scholarships.

- ★ Secretary Hale will provide the committee with information on the potential increase in the number of patients who will enter the VA health care system due to implementation of the federal Patient Protection and Affordable Care Act, or "Obamacare".
- ★ Secretary Hale will investigate the letter recently sent by the VA informing veterans that payments must now be made by electronic direct deposit to a bank account and will no longer be made in cash. He will also follow up with Representative Jeff on the issue.
- ★ Representative Martinez will provide Secretary Hale with information on the June 12, 2013 meeting with the Property Control Division of the General Services Department and the VA regarding the Fort Bayard cemetery project in progress.

Veteran Employment Tax Credit Status Update

John C. Tysseling, Ph.D., chief economist, Taxation and Revenue Department (TRD), and Alan Martinez, deputy secretary, VSD, gave a presentation on credits against income and corporate income taxes that are available to employers that hire veterans. Though the credits were enacted in the 2012 legislative session and applicable during the 2012 taxable year, only three claims for the credit have been filed to date.

On questioning, the presenters noted that the TRD conducted a "media blast" and posted information on its web site when the credits were enacted. The claims process is not difficult and only requires that employers identify employees as veterans. Some employers may not be claiming the credit because they were not liable for taxes in 2012 due to the economic downturn. The veteran employment tax credit is not directly related to the state's job training program (JTP), and an employer participating in the JTP may claim the credit.

- ★ Dr. Tysseling will look into developing a system for the TRD to identify veteran-owned businesses.

Office of Military Base Planning and Support Overview

Brigadier General (Ret.) Hanson Scott, director, Office of Military Base Planning and Support, gave an overview of current issues faced by military installations in New Mexico, most notably the effects of federal budget reductions and sequestration. While all installations have had to narrow their focus due to recent federal budget cuts, readiness remains the number-one priority. Military personnel are exempt from sequestration, but furloughs have been imposed on civilian and civil service employees, and 3,100 temporary employees have been terminated. Both the U.S. Air Force and the U.S. Army have reduced training and flight hours, and libraries and

gymnasiums have been closed on some bases. Certain construction projects will proceed as planned, however, including the housing privatization project at Cannon Air Force Base scheduled to begin in late summer.

Brigadier General Scott described current initiatives at the Office of Military Base Planning and Support. The office's top priority is to support the upcoming transition at Holloman Air Force Base, in which the base's F-22s will be replaced with F-16s over the course of the next year. It is also advocating to move the proposed SunZia renewable energy transmission line outside of the White Sands Missile Range northern extension so that the line does not interfere with military missions in the area. The office continues to monitor the U.S. Department of Defense's proposal for a round of base realignment and closures in 2015, which Congress has not yet approved and which the U.S. House Armed Services Subcommittee on Readiness openly opposes. The office is participating in the regional joint land use study to address compatibility issues between local governments and military installations in southern New Mexico and west Texas; continuing to address land acquisition adjacent to Cannon Air Force Base; and developing a "military case value statement" of New Mexico's military installations.

On questioning, Brigadier General Scott and committee members addressed the following concerns and topics.

SunZia project. The legislature passed a memorial in 2011 requesting that routes for renewable transmission lines be developed in collaboration with military installations, but that memorial was not specific to the SunZia project and should be reintroduced with SunZia named. The transmission line route has the potential to affect missions from all New Mexico military installations, not just those in the area.

Spaceport America. White Sands Missile Range is supportive of the spaceport and is willing to cooperatively schedule launch and flight activities at the two facilities. The U.S. Department of Defense may, or may not, see the spaceport as a military advantage when conducting its next round of base closures.

- ★ On a motion by Senator Burt, seconded by Senator Ivey-Soto, the committee unanimously directed Ms. Stokes to draft a letter on behalf of the committee to the U.S. secretary of defense regarding concerns about the U.S. Bureau of Land Management's proposed route for the SunZia renewable energy transmission lines.

Focus Areas and Work Plan

Ms. Stokes presented the committee's proposed work plan for the interim, which includes a total of six meetings to be held in Santa Fe, Albuquerque, Roswell and Alamogordo. The work plan is included in the meeting file. In discussion, committee members:

(1) considered reintroducing a bill from previous sessions that would provide an exemption from income tax for military retirement pay;

(2) requested that Presbyterian Healthcare Services be invited to make a presentation on its veteran and family support services; and

(3) requested that the meeting in Alamogordo at Holloman Air Force Base include discussions of education and housing issues.

On a motion by Senator Martinez, seconded by Senator Burt, the work plan was adopted.

Adjourn

The committee adjourned at 1:20 p.m.